

ESTTA Tracking number: **ESTTA553526**

Filing date: **08/12/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057484
Party	Defendant Earl C. J. Prater
Correspondence Address	EARL C J PRATER 3540 YOSEMITE PLACE RENO, NV 895033839 UNITED STATES
Submission	Motion to Extend
Filer's Name	Earl C.J. Prater
Filer's e-mail	shirleytemplesodapop@gmail.com
Signature	/Earl C.J. Prater/
Date	08/12/2013
Attachments	MOTION TO EXTEND TIME TO ANSWER SHIRLEY TEMPLE DIET.pdf(183661 bytes )

MOTION TO EXTEND TIME TO ANSWER

DATE: August 12, 2013

TO: USPTO TTABVUE TRADEMARK TRIAL AND APPEAL Board Inquiry System

Interlocutory Attorney: Mary Catherine Faint, (571)272-9274

INFO: Petitioner: Jackie M Joseph, Shirley's World, L.P., jjoseph@eisnerlaw.com

EISNER KAHAN GORRY CHAPMAN ROSS & JAFFE

9601 Wilshire Boulevard, Suite 700

Beverly Hills, CA 90210

United States

FROM: Registrant: Earl C. J. Prater, 775-747-2470, shirleytemplesodapop@gmail.com

REF: Cancellation Pending No. 92057484 Filing Date: 07/08/2013 Due Date: 08/18/2013

Serial No. 78345712 Registration No. 3418196

MARK: THE ORIGINAL SHIRLEY TEMPLE DIET SODA POP AND DESIGN

The Registrant has attempted unsuccessfully to contact by telephone Para Legal Veronica White at 571-272-4320 during the past week of August 5<sup>th</sup> – 9<sup>th</sup>, 2013. The Registrant has specific questions pertaining to the statute of limitations and statutory basis under Trademark Act 14, Trademark Rules 2.111-2.115, TBMP 300, for filing a cancellation action against this active trademark registered since April 29, 2008 and well beyond the stipulated 180 day period time limit after registration has been granted to file cancellation proceedings. This registered mark is current and active and well within the time limits of April 2014 to file an extension. All Shirley Temple Soda Pop beverage and promotional products have been manufactured and sold exclusively under our trademarks since April 15, 1987.

The Registrant hereby respectfully requests an extension of **60 Days** to seek legal counsel, prepare the necessary documentation and submit a proper initial response if still required.

